Presence

App. F. IX-4

Previous References

[illegible]

1933.
(Mozzai)

File No. 293-33

Serial Nos. 1-4

Later References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 4

Part B for September 1934.

SUBJECT.

Conversion of certain S. nos of Huskur village into Devadaya Inam in favour of Beli mut in Arlepet Bangalore city

To The Mez Comr

Sl 4

no 485 p 26-9-34

WD 01965—GPB—15,000—7-7-34

States that the Govt are not in favour of accepting the recommendation

No. ...

Eve: 1 file

OFFICE OF THE MUZRAI COMMISSIONER

IN MYSORE.

GENL. & REV. SECRETARIAT
1163
23 APR 1934

Dated, Bangalore, ...

N 1 [illegible] 283-53-1

FROM

N. MADHAVA RAO, ESQ., B.A., B.L.,

Muzrai Commissioner in Mysore.

To

[illegible]
Secretary to the Government of His Highness
the Maharaja of Mysore,

[illegible] *Department.*

2014

SIR,

Subject:- [illegible] Bangalore City.

In [illegible] 1934 [illegible] the Deputy Commissioner [illegible] Division Officer's [illegible] villages [illegible] tension [illegible]

[illegible]

2. [illegible]

3. It is seen from [illegible]

4. The [illegible] account [illegible]

[illegible] conced [illegible] s jarrmount. the difference between the assessment of the purchased lands i.e. F 19-6-0, may be fixed as

[illegible] lands noted above may be [illegible] Devadaya [illegible] the institution with a jodi of

[illegible] the honor to be,

Sir,

Your most obedient servant,

N Madhava Rao

Uzrai Commissioner.

The Swami of the Mill has transacted business in the purchase of the lands out of the Compensation Amount stated to have been awarded in connection with the acqn. of Devadaya Inam for [illegible] The transaction appears to have been done without the matter being brought to the notice of [illegible] of the [illegible] beforehand. After purchasing the lands, the Swami of the Mill has for these lands being treated as Devadaya lands -

If appd, records will be [illegible] & the File resulted a week hence &

Yes, Compliance

12/5

and [illegible] for Sri Bali Mutt
Arale pet. Bangalore city

General and Revenue Secretariat | Mezz | File No. | of 193 | [App. F. III—2

Serial No.

u In i Sem Comm
letter of 23rd Feb 1934 that in [illegible]
- Govt order no 10347/mlt-06-55 dt
4-5-07 a sum of [illegible] was
pd to Sovarendra Swami of Sri Bali
Mutt Cottonpet Bangalore city on
account of Mutt land acquired for
the formation of Basavanguda
Extn. The exact date on which he
was pd the above amount is not
borne out by the Records. It is sub-
that in stead of tendering the sum
to the hands of the Swami it should
have been credited to the funds
of the [illegible] - It is now also [illegible]
of the Mutt had placed
the above said amount in any
savings bank and if so how
the interest thereon till the years
1917, 1921 and 1922 was utilised
& whether the saving after meeting
the expenses of the Mutt was added
on to the Capital.

5) In 1917 Sovarendra Swami [illegible]
certain land for the benefit of A
300/-, in 1921 and then land in
Huskur Village - Nelamangal Tk for
Rs 1400/-, & in 1922 another [illegible]
for Rs 1000, without consulting and
& obtaining permission of the [illegible]

WD 0434—GPB—15,000—12-10-33

Serial No.

The [illegible] was made in his own name, but the local Muz-officers have reported that the Khate etc of the lands has been made in the name of the Mutt - Sivandra Swamie - It is usual in [illegible] sition of the kind that Govt would award suitable exchange of lands in the same [illegible] available - or invest the compensation money in such [illegible] to as to select [illegible] a certain [illegible] the benefit of the Instn. As the entire transaction has been done without the knowledge of the Muz. officers, there appear [illegible] grounds to accept of the proposal of the Swamie for converting the purchased lands into Devadaya Inam, which has been [illegible] commended by the [illegible] officers. Many Muz Instns have been in the [illegible] of Kandalgam [illegible]. It is further [illegible] that the Khate should be in the name of the Mutt and not in the name of personal name of the Swamie of the Mutt.

In Commr - Devadaya Inam is acquired it is desirable that the land granted in exchange or land purchased out of compensation awarded shd be treated as Devadaya

The recommendation of the Muzrai Commr to treat the lands purchased by Sivarudra Swamy out of the amount awarded as compensation for S. No 11 of Guttahalli village, Devadaya Inam endowed to Beli Mutt, Ablepet, B'lore, in 1907 as Devadaya

He [illegible] certain lands to [illegible] for [illegible] Beli Mutt [illegible] Bangalore [illegible] as Devadaya, [illegible] Inam

General and Revenue Secretariat

File No. of 193

[App. F. III—2

Serial No.

Inams in favour of the said Beli Mutt Arlipet. B'lore City on a Jodi of Rs 19/8/0 is in order & may be approved.

14/7/34

II Member)

7) When was the award made & cash paid Did he ask for inam lands in exchange then? Why did he not apply for it earlier - what need is there for new inams when cash was paid a long time back

16/7

2/9/7

) Kind rep[illegible] is invited to [illegible] 265 [illegible] - It is about the mismanagement of the properties pertaining to the Beli Mutt at Cottonpet Bangalore City. [illegible] as also about the [illegible] compensation for lands [illegible] Basavanagudi Ext[illegible] paid [illegible] of the Inam [illegible] a in spite of any [illegible]

[illegible] Sivarudra

[illegible]

[illegible]

[illegible] paid

Note—Contn. Sheet.

WD 70—GBPM—60,000—13-8-3.

1103 87

File No. 293 of 1933. General Secre

are silent about the remaining points raised in Para 7 supra —
[illegible]

No 109 of 26. 7. 1934 to the Muzrai 2 Commissioner — Calling for additional information.

[illegible]

11) With reference to the queries of the Second Member at para 7 of the Notes supra, the following information is furnished:

(i) When was the award made and cash paid?

As there were 2 rival claimants Vizy Basavalingadevaru and Sivarudraswami the present petitioner, the Acquisition Officer referred the matter to the Sub Court Blore, which decided in favor of Sivarudraswami and paid the amount to him in or about the year 1911.

(ii) Did he ask for inam lands in exchange then? Why did he or not apply for it earlier?

In his statement before the Amildar in May 1915, the Swami is reported to have stated that he had applied to the Acquisition Officer that exchange lands

Purchased for Beli Mutt Bloxcity – To be (treated as Devadaya [illegible]

General and Revenue Secretariat | File No. 293 of 193). | [App. F. III—2

Serial No.

and Compensation for improving them should be given but this was not complied with.

(iii) What need is there for new inams when cash was paid a long time back?

The M.C states that the award of a cash compensation like this, where the Swami has only a limited interest in the land, was inappropriate under section 31(3) of L. A. R. and Rule XV of the Rules thereunder, and the irregular payment should have been objected to, by the Muzrai Officer at the time but this was not done.

Now that the Swami has come forward with a request to convert the lands purchased by him into Devadaya, the M.C is of opinion, that it is desirable to accept the offer and ensure the inalienability of the lands in the interests of the Mutt.

12) Subd with reference to II member's minute at para 7 supra.

16/8/34

20/8/34

13

F. Lucy) The Muzrai C.'s opinion was to accept

20/8/34

Ch Sec)

2nd member

31/8/34

OFFICE OF THE SECOND MEMBER OF COUNCIL.
31 AUG. 1934
No. 1598

Read back from the Fnl Secy, with [illegible] on 29.8 [illegible]

NOTE—Contn. Sheet.

WD 01955—GPB—22,500—12-6 34

Conversion of Beti into Dev

Mus. File No. of 193_.

General and Revenue Secretariat

I am not in favour of accepting the Muzrai Commissioner's recommendation for the conversion of the lands into Devadaya Inams after such a lapse of time. Government are discouraging the grant of new inams as much as possible and even old inams are now being converted into sircar lands by the cancellation of inam tenures. The creation of new inams for the purpose is not desirable unless there is a strong case for it. I am not convinced that there is such a case here. I do not follow the Muzrai Commissioner in some of the reasons he has adduced. He says that the grant of cash compensation was inappropriate and irregular under Section 31 (3) of the Land Acquisition Regulation. This Section is a permissive one enabling the Deputy Commissioner to make other arrangements and is not compulsory in every case. Rule XIV applies only to service inams and not to Mutts. As regards inalienability, any property of Mutts whether inam or otherwise cannot under the law be permanently alienated by the Swami for the time being.

Pl. tell the R.C. according.

RR 6/9

7/9/34.

7/9

H draft reply to the M.C. is put up

Please speak some

14/9

10/9

In person 15/9

BB

11/9 14/9

183

Commission on claims of Beli Mosq.

General and Revenue Secretariat | File No. 293 of 1933 | [App. F. III—2

Serial No.	
	18/ A revised draft reply to the M.C is put up. [illegible] 13/9 [illegible] 19/9
19 SEP 1934 SECTT.	
6	[illegible] 26 & 74 [illegible] M.C. [illegible] [illegible] Government not in [illegible] recommendation in the [illegible] [illegible] 2.
5/10/34	

NOTE—Contn. Sheet.

WD 01955—GPB—22,500—12-6-34

File No. of 193 .

General and Secretariat

Letter No.33-3693/33-34 dated 23-2-34 from the Deputy Commissioner, Bangalore District, to the Muzrai Commissioner in Mysore.

In forwarding herewith the records received from the Sub Division Officer, Dodhallapur with his report No.A2.504/33-34 dated 15-1-34 in the matter of treating certain lands of Bell Mutt, Bangalore City, as Devadaya Inam, I have the honor to state as follows:-

S.No.11 of Guttahalli village, Bangalore Taluk, endowed to Sri Bell Mutt, Bangalore City, was acquired by the Bangalore City Municipality in pursuance of G.O.No.10348/Ml.6-06-55 dated 4-5-1907 for Basavangudi Extension and compensation amounting to R. 2527-2-0 was paid to Sivarudraswamy on behalf of the Mutt by the Municipality for the above lands. It is now reported that Sivarudraswami purchased the marginally noted lands in Huskur village, Nelamangala Taluk for R 2750/- by supplementing the compensation amount by R 222-14-0 from his personal funds. The khate of the lands has been made in the name of Sivarudraswami who has been asking for the lands being treated as Devadaya inam for the benefit of the Bell Mutt, It is further reported that full assessment is being paid on these lands.

S.No.	Extent	Assessment.	Price.
150	6 30	10-0-0	1400-0-0
165/1	2 23	5-0-0	350-0-0
128	3 6	17-8-0	1000-8-0

The Sub Division Officer, Dodhallapur recommends that the lands may be converted as Devadaya inam from the dates of their purchase, that a suitable jodi may be fixed on them and that the difference between the assessment and jodi may be refunded to the Mutt together with the sum of R 222-14-0 paid by the Swamy from his personal funds for the purchase of lands.

I agree with the Sub Division Officer and request that his proposals may be approved. I am not in favour of the refund of R 222-14-0 said to have been utilized for purchasing the lands. The jodi may also be kindly arranged to be fixed in consultation with the Superintendent, Revenue Survey. The khate of the lands will have to be made in the name of the Mutt.

"COPY"

For Muzrai Commissioner.

ppendix F G—1]

SUBJECT .....

.....

.....

Section Mez

File No. 293-33

Serial No. 2

No. 109 [illegible] file

To

Mr M.C.

Subject:- F. the Collection of S Nos 150, 128 and 165 of Hurk. - V. - Nelumanga TV or Devadaga Mam in / of B

Sir,

With refce to your letter no C 116.3/33-34 & 17 4.34 on the above subject, I am directed to [illegible] as to [illegible] for Bali [illegible] and required [illegible] [illegible] Ex[illegible] B. [illegible] was made and [illegible] [illegible] the [illegible] for [illegible]

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

tne *193* .

Date of issue 26/7/34

Signed by Mr B. [illegible]

List of enclosures .....

Copied by .....

Examined by .....

WD 01956—GPB—22,500—12-6-34

Then and why he failed to apply
for it earlier - I am also
to ~~further~~ enquire what need ~~it~~ there is
for new Inams when Cash
was paid a long time back
The records on the subject
are herewith returned for refce

By this mission with a reply -

Shavelte

8/24/17

[illegible] 24/7/34

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Bangalore, Dated, 26-7-34

No. 109

Muz 293-33-2

Give one file to me

From

S. Shamanna, Esquire, B.A.,
Financial Secretary to the Government of His Highness the Maharaja of Mysore.

To

N. Madhava Rau, Esquire, B.A., B.L.,
Muzrai Commissioner in Mysore, Bangalore.

Sir,

Proposals for the conversion of Survey Nos. 150, 128 and 165 of Huskur Village, Nelamangala Taluk as Devadaya Inam in favor of Beli Mutt in Arlepet, Bangalore City.

With reference to your letter No. C. 1163/33-34 dated the 17th April 1934 on the above subject, I am directed to request you to be so good as to state when the award for Beli Mutt lands acquired for the formation of Basavangudi Extension, Bangalore City, was made and cash paid, whether the Swami of the Mutt asked for Inam lands in exchange then, and why he failed to apply for it earlier. I am also to enquire what need there is for new Inams when cash was paid a long time back. The records on the subject are herewith returned for reference and retransmission with a reply.

I have the honor to be,
Sir,
Your most obedient servant,

[signature]

For Secretary to Government,
Eg. Financial Department

P.H.

No. 1163/33-34
Enc: 1 file

OFFICE OF THE MUZRAI COMMISSIONER, 1934
IN MYSORE,

Dated, Bangalore, 13 [illegible] 1934.

Mz 293-33-3

GENL & REV SECRETARIAT
MUZRAI BRANCH
183
15 AUG 1934
MUZRAI BRANCH

FROM

N. MADHAVA RAO, Esq., B.A., B.L.,
Muzrai Commissioner in Mysore.

To

[illegible]
*Secretary to the Government of His Highness
the Maharaja of Mysore,*
[illegible] *Department.*

13/8

14R 16/[illegible]

SIR,

[illegible] of [illegible] 11[illegible] [illegible] of [illegible] [illegible].

[illegible]th refe[illegible] No.10[illegible] [illegible] July 1934 [illegible] the [illegible], I [illegible] passed [illegible] the case [illegible] out t[illegible] 190[illegible]. [illegible], viz., one B[illegible] [illegible] the acquisition officer [illegible] the [illegible] District Judge, [illegible] Government [illegible] and paid the [illegible].

2. In his statement be[illegible] 191[illegible] stated that he had applie[illegible] lands [illegible] not compl[illegible] like this, [illegible] (vide Section [illegible]) [illegible] would have been objected [illegible] this [illegible] request [illegible] to accept [illegible] in the interests of [illegible].

15

5. The records are returned for reference.

I have the honor to be,

Sir,

Your most obedient servant,

[signature]

Muzrai Commissioner.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE 16

General and Revenue Secretariat

No. 485 — Bangalore, Dated, 20th September 1934.

Muz 293-33-4

From

The Chief Secretary to the Government of His Highness the Maharaja of Mysore.

To

The Muzrai Commissioner in Mysore,
Bangalore.

Sir,

With reference to correspondence ending with your letter No.C.1163/33-34 dated 13th August 1934 regarding conversion of Survey Nos.150,128 and 165/1 of Huskur village in Nelamangala as Devadaya Inam in favour of Beli Mutt, I am directed to state that Government are not in favour of accepting your recommendation for the conversion of the lands into Devadaya Inams after such a lapse of time. Government are discouraging the grant of new inams as much as possible and even old inams are being converted into Sircar lands by the cancellation of inam tenures. The creation of new inams for the purpose is not desirable unless there is a strong case for it and Government are not convinced that there is such a case in favour of the Mutt.

The records received with your letter are returned herewith.

I have the honor to be,
Sir,
Your most obedient servant,

For Chief Secretary to Govt.

c.n.-3

FG—1]

SUBJECT .....

.....

.....

Section Mez

File No. 293-33

Serial No. 4.

No. 485 Eng ~~two~~ Silestone

To

The M.C in Mysore

Sir,

With reference to Correspondence ending with your letter No C 1163/33-4 dated 13.8.1934 regarding conversion of S. Nos 150, 128 and 165/1 of Huskur Village in Nelamangala as Devadaya Inam in favor of Beli Mutt I am directed to state that Govt are not in favor of accepting your recommendation for the conversion of the lands into Devadaya Inams after such a lapse of time Govt are discouraging ie

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the *193* .

Date of issue 26/9/34

Signed by Mr B. Muddukrishnappa

List of enclosures .....

Copied by .....

Examined by.....

WD 01956—GPB—22,500—12-6-34

of new inams as much as possible and even old inams are being converted into Sircar lands by the cancellation of inam tenures. The creation of new inams for the purpose is not desirable unless there is a strong case for it and Govt are not convinced that there is such a case, ~~now~~ in favor of the Mutt

The records read with your letter are returned herewith.

I have etc.

[illegible] 19/9

For chief Secy to Govt

[illegible] 18/9